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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/762,173

01/20/2004

Yasushi Okubo

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4992

23413 7590 03/16/2007
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EXAMINER

ZEMEL, IRINA SOPJIA

ART UNIT

PAPER NUMBER

1711

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
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30 DAYS

03/16/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

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APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
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10/762,173

EXAMINER

ART UNIT	PAPER
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20070312

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Commissioner for Patents

DETAILED ACTION

Election/Restrictions

Amended claim 19 and newly submitted claims 210-26 are directed to an invention that is independent or distinct from the invention originally claimed for the following reasons: The claims as amended are drawn to a process of producing a film by a series of steps which require specific components and solvents, while the originally claimed process related to casting of films having some properties and not requiring any of the specific components or steps. Inventions are unrelated if it can be shown that they are not disclosed as capable of use together and they have different designs, modes of operation, and effects (MPEP § 802.01 and § 806.06). In the instant case, the different inventions are not disclosed as capable of use together and they have different designs. The originally claimed process process was a processs that produces specific films by casting any solution and the amended c=process requires addition of specified components. The amended claims are, thus, drawn to a very different invention from the originally claimed invention. (in addition, newly presented claims are drawn to plurality of species requiring further election such as first solvent)

Since applicant has received an action on the merits for the originally presented invention, this invention has been constructively elected by original presentation for prosecution on the merits. Accordingly, all pending claims are withdrawn from consideration as being directed to a non-elected invention. See 37 CFR 1.142(b) and MPEP § 821.03.

Since the above-mentioned reply appears to be bona fide, applicant is given ONE (1) MONTH or THIRTY (30) DAYS from the mailing date of this notice, whichever is longer, within which to supply the omission or correction in order to avoid abandonment.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Irina S. Zemel whose telephone number is (571)272-0577. The examiner can normally be reached on Monday-Friday 9-5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, James Seidleck can be reached on (571)272-1078. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated

information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Irina S. Zemel Primary Examiner Art Unit 1711

ISZ

A handwritten signature in black ink, appearing to read "Irina Zemel", written in a cursive style.

Irina S. Zemel
Primary Examiner
Art Unit: 1711